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THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Intelligence Community Staff

ICS 77-2202
28 March 1977

MEMORANDUM FOR: See Distribution

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FROM : [REDACTED]
Director of Performance Evaluation
and Improvement

SUBJECT : Issues for SCC Subcommittee on PRM-11,
Task 2

1. On 1 April 1977 at 1500 the DCI is scheduled to hold a second meeting of the SCC Subcommittee on PRM-11, Task 2, to discuss key issues expected to emerge from the PRM-11, Task 2 report on the DCI's role. The attached package identifies eight key issues that are likely to merit Presidential attention and, therefore, to reappear in Task 3 of PRM-11, to be chaired by Dr. Brzezinski. Six of these issues are discussed in brief papers aimed at focusing the 1 April meeting.

2. Pursuant to guidance from the first subcommittee meeting, these papers reach forward toward the contending opinions and possible decision options that might be developed in Task 3. This is to stimulate discussion only. It is not intended to display the final content of the Task 2 report, or to prejudge issues to be confronted in Task 3. Seven additional issues judged to be of intra-Community character are also identified, but no issue papers supplied.

3. Given the press of time, any comments, additions, rebuttals, or cries of distress must reach me by close of business 29 March 1977 to be assured of inclusion in the issue papers.

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Attachment:

Issue Papers for 1 April meeting

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Issues for Meeting of SCC Subcommittee
on PRM-11, Task 2, 1 April

Front Piece

Among the issues confronted in examining the DCI's role, responsibilities, and authorities, the following eight can be identified at this point as deserving Presidential guidance or decision. All are likely to reappear as issues for attention in Part 3 of PRM-11.

1. The DCI's power and Community structure for managing national intelligence resource allocations
2. Enhancing the relevance and quality of intelligence products
3. The DCI's role in wartime
4. Intelligence and non-intelligence foreign information gatherers of the government
5. Net assessment and "Blue" information needs
6. DCI responsibilities to Congress [incomplete]
7. Intelligence security [forthcoming]
8. National counterintelligence policy and coordination [forthcoming]

Brief papers on each issue are at Tabs 1 through 8, each presenting:

- Issue
- Discussion
- Possible conclusions of the PRM-11 Task 2 Report
- Possible Decision Options for the President

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The DCI, the intelligence agencies, and the Community as a whole face many other issues, problems, and challenges that must be addressed in PRM-11. By and large, however, these are matters that the DCI and other intelligence authorities should resolve as part of their jobs. Understanding of these issues at the Presidential and NSC levels can be helpful, but decisions or guidance from those levels is unlikely to be required. Among the more important of them are:

- a. Assuring an effective collection guidance and requirements system.
- b. Assuring an effective process for preparing national intelligence estimates.
- c. Creating systems for measuring the performance of intelligence collection and production entities.
- d. Creating mechanisms in the Intelligence Community for accomplishing evaluation, planning, programming, and budgeting (assuming a prior definition of the DCI's role and powers).
- e. Striking the proper balance between current, analytical, and estimative intelligence; and between production, collection, and processing.
- f. Assuring a functioning crisis support mechanism for the Intelligence Community.

g. Developing Community personnel policies or goals that assure the availability of necessary technical, linguistic, and analytic talent over the long term.

Issue No. 1

Defining the DCI's responsibilities and powers, and the appropriate Intelligence Community structure for managing, planning, programming, and budgeting national intelligence resources, especially with relation to the responsibilities and authorities of the Secretary of Defense.

Discussion

Since World War II, a complex community of organizations has been created to produce national intelligence. These organizations are lodged in numerous departments of government, most of them in the Defense Department. Since the late 1960s, all Presidents and, increasingly, the Congress have looked to the DCI to lead and to manage this Community. Emphasis on the importance of Community resource management has steadily grown. The President and Congress expect the DCI to assure that resource allocations are optimally balanced across intelligence activities for the best product at the least cost. In the presence of vague or overlapping definitions of "national," "departmental," and "tactical" intelligence, Congress has tended to press on the DCI more responsibility for the latter classes of activities.

Defining and empowering this DCI responsibility has been studied intensely several times in recent years. To date, each round of decisions has resulted in giving the

DCI Community management mechanisms that have been essentially collegial in nature. That is, DCI responsibilities and powers overlapped or conflicted with those of other officers, notably the Secretary of Defense, requiring a negotiating forum to reach decisions. President Ford's Executive Order 11905 created such a forum for resource management matters in the Committee on Foreign Intelligence (CFI), now called the Policy Review Committee (Intelligence).

Several of the elements of the Community are primarily national by charter and mission: CIA, NSA, [redacted]

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[redacted] Only CIA is directly subordinate to the DCI. Other elements, such as DIA, other components of the General Defense Intelligence Program, State/INR, and the intelligence elements of Treasury, FBI, and ERDA, exist primarily to serve departmental needs, but secondarily play a vital role in national intelligence collection and production.

Current operations of technical collection entities are coordinated by the DCI through a Community committee structure. Such a clearing-house approach to current tasking is necessitated by the nature of the intelligence process; under any Community structure, a variety of data consumers with varying needs must be served by a variety of collectors.

In the areas of Imagery and SIGINT, these mechanisms for establishing current requirements are formal, relatively

effective, although beset by the frictions attending any committee process. Users of SIGINT reporting, moreover, frequently complain about the nature and timeliness of NSA reporting on collected data. Because it embraces many information gatherers outside intelligence, the committee for human resource coordination is as yet far less influential.

The question before the house is whether and how well, via present collegial mechanisms, the DCI can accomplish effective resource management in the Community, especially as regards planning and programming for the future.

During the past year the first fully consolidated National Foreign Intelligence Program (NFIP) and budget were developed under the provisions of E.O. 11905. This was a major accomplishment. But it was accompanied by persistent struggle over conflicting authorities and substantive judgments between the DCI and the Department of Defense. Moreover, it was waged largely over new initiatives proposed by program elements or issues imposed from the outside. Much less was accomplished in examining fundamental resource balances among the collection disciplines, intelligence processing, analysis and production, of the sort implied by "zero base budgeting."

The achievements of the past year were attended by growing tension between the two management roles of the DCI: head of the Central Intelligence Agency and leader of the Community. Some argue that he should be divested of the

former so as to be "neutral" in executing the latter role. Others contend that this alone would only create a weaker DCI, with no executive base, and simply place another, weaker authority between CIA and the President. To be a strong Community leader, the DCI needs, not less authority over his only operating base, but more over other key Community elements.

Possible Conclusions of the PRM-11, Task 2 Report

One may reach the following divergent conclusions on the present Community management mechanism:

Opinion 1:

The present system did not work too badly for the first year. A learning curve will show improvement. Moreover, whatever the cost in bureaucratic struggle, it is essential that the future programs and budgets of the main national intelligence entities be thrashed out in a forum where a diversity of needs and views are authoritatively represented.

Opinion 2:

The present system leaves the DCI with limited power over entities other than CIA to achieve what is expected of him, a fundamental rationalization of resource allocation among the major national intelligence organizations and activities. He does not have the power, except through the PRC(I), to investigate, call up well-supported program

alternatives on, experiment with changes to, and, in the face of divergent views, conclusively resolve disputes on the major national intelligence programs whose integration he is charged to accomplish. In addition, line command of CIA along with collegial leadership of the Community imposes tension on both jobs. The Community suspects the DCI and his Community officers of favoring CIA. CIA fears loss to the Community arena of its senior protagonist and only link to the President. To be a true Community manager, in his own right without reliance on the PRC(I) mechanism, the DCI must have line authority and budget control over at least the "commanding heights" of the Intelligence Community: CIA, NSA

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Opinion 3:

Emphasis on the resource management aspect of the DCI's Community role is misplaced. It is based on the assumption that there is substantial fat in the system or that improvement is to be found by trading off resources among programs and activities. The real problem is that national intelligence budgets are too lean overall. Initiatives are being starved and the system is getting over-bureaucratized. The most important part of the DCI's Community resource management role is to sell growth programs to the President and Congress. Further search for efficiencies through resource trade-offs will lead to dangerous shortfalls. Hence, it is folly to predicate Community reorganization on such a search.

Possible Decision Options for the President

The following schematic presents possible options on DCI authority and Community structure that could be developed for Presidential consideration by Task 3 of PRM-11:

1. Status quo of E.O. 11905
2. Amend E.O. 11905 to give the DCI direct access to data from and programming authority over:

- Variant A:

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- Variant B: All NFIP elements

3. Separate the DCI from direct operational and substantive responsibility for CIA. Subordinate the head of CIA to the President and the NSC for operational and substantive matters, to the DCI (as Intelligence Community manager) and Chairman, PRC(I) for resource programming and budgeting.

4. Place NSA, along with CIA, in line subordination to the DCI:

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- retain PRC(I) for coordination of other NFIP elements, influence on DCI management
- retain NFIB as collegial element for tasking and estimative judgments

5. Create new National Intelligence Agency (NIA)
combining present elements of CIA, NSA, [redacted]

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[redacted]

- retain PRC(I) for coordination of other NFIP elements, influence on DCI management
- retain NFIB as collegial element for tasking and estimative judgments

6. Create broad national intelligence authority along lines of SSCI (Miller) draft bill.

7. Create a separate national intelligence analytical center under NSC, place major national collection programs in variants as follows:

- All national imagery, SIGINT, and clandestine collection under a national foreign intelligence collection authority.
- All such collection under Department of Defense.
- All technical collection in Department of Defense, clandestine service in Department of State, coordinated at NSC level.

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Issue No. 2

Enhancing the quality and relevance of intelligence products to consumers through improved producer-consumer relationships and, possibly, institutional separation of analysis and production from collection.

Discussion

Delivering high-quality and relevant finished intelligence to policymakers is the purpose of intelligence. It is the DCI's main responsibility as an agency head and Community leader.

The quality of intelligence products has been criticized increasingly in recent years by congressional committees and selected figures in the Executive branch. Some criticisms cancel each other out (some want more hard data, others more speculative analysis); some reflect the unlimited appetite of consumers for more information.

A frequent criticism is that producing entities are given too little guidance by policymakers as to what their real intelligence needs are, and that producers are too reluctant or lethargic about seeking such guidance.

Community experience shows that formal mechanisms for involving consumers in establishing production priorities and needs run a high risk of non-use. The defunct NSC

Intelligence Committee met twice and disappeared. The most important consumers tend to be too busy and distracted to articulate their intelligence needs thoughtfully.

Intelligence production entities find that informal means of keeping in touch with consumer needs and views are more productive. Often the best way to determine what the consumer needs is to find out what he is trying to accomplish, i.e., to understand policy goals.

In the past three years, numerous experiments and innovations have sought to improve product quality by, among other things, improving producer-consumer contact. The DCI's NIOs and DIA's DIOs have this responsibility. In some components, middle management and analysts are encouraged to seek out consumer contacts. Other managers find this troublesome and threatening. Defense intelligence has created a Defense Intelligence Board to link producers and consumers in the Pentagon.

Evaluation of intelligence product has been emphasized in the past two years. E.O. 11905 stipulated that the NSC would meet twice annually to consider a report on intelligence product quality submitted by the DCI. The President's Foreign Intelligence Advisory Board (PFIAB) has been active in criticizing intelligence product and promoting experiments, such as competitive analysis, to improve it.

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Intelligence professionals, especially in CIA, harbor strong reservations as to the impact of close producer-consumer relations on product quality. They fear that too close a tie would tend to draw intelligence analysis into the policy process directly and jeopardize the objectivity of intelligence product. Some would cite the experience of intelligence support to SALT negotiations, which created a very close intelligence-policy relationship, as refuting this fear. Others would cite the SALT experience as confirming its validity.

Concern about the quality of intelligence analysis has several possible implications for Community management structure:

- Some argue that analysis and production are starved for resources relative to collection and processing. Modest resource shifts from the latter to the former would, supposedly, yield major benefits. While intuitively persuasive, this cannot as yet be proved to the satisfaction of all authorities involved. In any case, it would take strong central leadership in the Community to accomplish a meaningful shift of this sort.
- Some maintain that major improvements in product quality can only be achieved by breaking intelligence analysis away from organizations

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that are dominated by collection and related intelligence activities. A self-standing national intelligence analysis organization is required, in this view, to allow its management to concentrate on analysis, to make persuasive claims for resources, and to maintain academic and foreign contacts that are now inhibited by identification with collection, especially CIA's clandestine service.

- Others would argue that separation of analysis from collection is dangerous and counterproductive. Collection can only be focused efficiently if it is directly responsive to the information requirements of analysts. In turn, analysis must be based on a thorough awareness of source capabilities.

Attention to the quality of intelligence products and the involvement of consumers in establishing production priorities has lately been given new impetus by President Carter's expressed interest.

Possible Conclusions of the PRM-11, Task 2 Report

Full satisfaction of consumer desires for intelligence is not possible because needs are theoretically unlimited and constantly growing in practice. Major improvements require

steady effort at many levels of the Community. No single innovation will be a panacea.

Because there are so many different kinds of consumers with different needs, diversity of intelligence service at the "output end" is required. Although uneven in effectiveness, the Community has such diversity today in several major departmental production entities and one major national production organization -- CIA. They can serve a diversity of consumers and also be brought together for a national judgment on vital issues. The challenge is to make this system work better.

Closer producer-consumer relations are probably desirable. But fears for their impact on objectivity are not baseless. Formal mechanisms are less promising than steady management attention within the Community, and a more thoughtful attitude on the part of consumers.

Possible Decision Options for the President

Task 3 of PRM-11 may present the President with options such as the following on ways to improve intelligence quality:

- Explicit exhortation to consumers and intelligence managers to pursue many paths toward improvement; emphasis on product evaluation

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by Community elements, consumers, and the NSC (as in the NSC Semiannual Review); use of the PFIAB for product evaluations.

- Creation of formal mechanisms, like the NSCIC, to establish production goals and quality criteria.
- Giving added authority to the DCI to manage Community resources, permitting shifts of such resources in favor of analysis and production.
- Separation of analysis from collection and other intelligence activities. (See Option 6, under Issue No. 1.)

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Issue No. 3

Defining the role and authorities of the DCI in wartime.

Discussion

The role of the DCI in wartime is left exceedingly vague by present law and executive orders. No statute implies that the role of the DCI in war should be substantially different from that in peacetime. Several executive instruments and agreements stipulate that specific assets managed by the DCI in peacetime should come under the Secretary of Defense or military commands in wartime. NPIC becomes subordinate to the Secretary of Defense in wartime under NSCID No. 8.

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25X1 [redacted] shift to military authority in "active theaters of war." NSCID No. 5 provides that CIA clandestine operations "in or from a theater [of war]" shall, with certain exceptions, come under the theater commander.

It is explicitly assumed by the Department of Defense that national intelligence collection assets in the Department of Defense, [redacted] will be fully and directly responsive to Department of Defense tasking and control during wartime, although in peace they derive their routine requirements and tasking from Community mechanisms presided over by the DCI.

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Underlying this problem are two divergent philosophies. The Department of Defense, especially the Joint Chiefs of Staff, tend to believe that no intelligence or reconnaissance asset not directly commanded by defense elements can be expected in wartime to be available to meet defense needs. Since such defense needs are clearly paramount in war, Department of Defense elements have a prima facie case for controlling all or most national intelligence assets in war, according to this view.

Past DCI's have tended to acquiesce at least tacitly to this philosophy, in part to avoid potential conflicts with the Department of Defense over a condition that was generally believed either to be unlikely or not practically relevant to the DCI's peacetime concerns.

Another philosophy holds, however, that the DCI is as much a leader and manager in war as in peacetime. Two de facto wars, Korea and Vietnam, saw more or less orderly adjustment of peacetime arrangements to the conduct of war without major shifts in authority. In a major conflict, short of all-out nuclear exchange, in this view, there would be as much need as in peace for a well-managed national intelligence effort and autonomous channels of intelligence advice to the President and the NSC.

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Lack of clarity in the DCI's wartime role has

- complicated the task of sorting out overlapping interests and responsibilities with respect to "national," "departmental," and "tactical" intelligence in peacetime.
- prevented the DCI from instituting realistic contingency plans for wartime, e.g., with respect to location, communications, collection tasking.
- complicated DCI crisis management planning.

This entire subject tends to produce emotional reactions when directly confronted.

Possible Conclusions of the PRM-11, Task 2 Report

Lack of clarity in the DCI wartime role has produced serious problems along lines discussed above.

Complete acceptance of the Department of Defense philosophy would put the DCI out of business as a Community leader in wartime.

There is a good case that the reasons to have a DCI-led Community in peacetime are equally valid in war.

But the Department of Defense would have to be assured that its needs for intelligence at all levels could be adequately met. This is particularly pressing as national intelligence assets, notably space systems, acquire more capability to supply tactical intelligence.

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The Department of Defense's lack of control over national reconnaissance systems in space during war might augur for their acquisition of more specialized wartime reconnaissance capabilities. But the physical vulnerability of space systems in war is likely to be a more compelling motive in this respect.

Possible Decision Options for the President

It is highly likely and certainly would be desirable that Task 3 of PRM-11 clarify the DCI's role in war. Some aspects of this problem will have to be left for further study and detailed planning. Reliance on space assets for tactical reconnaissance will be a major issue in the prospective PRM on national space policy. But the President could constructively decide on the general philosophy to be followed in defining the DCI's wartime role:

- All Community elements located in the Department of Defense today, plus CIA, become fully subordinated to the Secretary of Defense in wartime.
- Some elements, such as NSA, [redacted] and clandestine assets in theaters of war come under the direct tasking authority of the Secretary of Defense or his subordinates; the DCI loses his role in defining requirements.
- The DCI commands the Community in war as fully as he commands it in peacetime; what changes is the degree of attention he must pay to military requirements, as directed by the President.

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Issue #4

Defining the intelligence reporting responsibilities of U.S. Government "information gatherers" who are not formally part of the Intelligence Community.

Discussion

Most U.S. Government departments and agencies have some overseas presence or other potential to gather and report information of foreign intelligence value. The methods whereby such information is made available for intelligence purposes are unevenly effective where such capabilities lie outside the Intelligence Community. Important examples are the reporting of State's Foreign Service, Treasury, Commerce and Agriculture attaches, USIA, and Defense military assistance groups. Of these entities, the Foreign Service is the most crucial. Recent assessments find that some 40 percent of human reporting on major intelligence priorities comes from Foreign Service reporting.

Reliably acquiring and integrating such reporting for intelligence purposes has been a problem to some extent. Most State Department reporting is routinely available to intelligence. But certain classes of information, notably NODIS materials, are sometimes withheld or severely restricted in dissemination. Some Military Assistance Advisory Groups have

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been explicitly instructed not to engage in any information gathering and reporting that might be construed as intelligence collection because of fears that such activity might tarnish relations with host authorities.

A second difficulty with intelligence dependence on non-intelligence information gatherers is that, lacking a reliable and mutually acceptable means of formally tasking such sources, intelligence cannot systematically plan and program on the basis of such capabilities. This creates a tendency to levy on Community collectors, especially CIA's Clandestine Service, collection requirements that could probably be better met by overt collection. Project FOCUS, a systematic review of information reporting by overseas missions being done by the DCI's Human Resources Committee, has noted such problems in the area of economic reporting.

The organizations possessing these non-intelligence information gathering capabilities strongly resist any formal requirements or tasking relationship to intelligence. They do so largely because they believe such a relationship would undermine the authority of their own chains of command. They also point out that gathering information of intelligence value is only a subsidiary service; their major duties are to conduct diplomacy or fulfill other duties that would be obstructed by any formal association with intelligence.

Possible Conclusions of the PRM-11, Task 2 Report

Some would judge the above problem to be a natural and unavoidable irritant stemming from the fact that intelligence and information are not readily distinguishable. Intelligence cannot presume to have a command or tasking relationship to every source of information on which it relies.

Others would maintain that the problem is severe enough in the area of human resource management and tasking to demand some amelioration, at least with regard to Foreign Service reporting.

Possible Decision Options for the President

It is arguable whether this problem is severe enough or sufficiently amenable to improvement to warrant Presidential consideration at this time. PRM-11 does, however, provide an opportunity to highlight it and to explore some possible improvements. The President could:

- give authoritative support to the principle that non-intelligence information gathering capabilities should be as responsive as possible to government needs for information that are identified by the DCI.
- direct the creation of special requirement mechanisms that maximize the intelligence value of these information gathering capabilities without undermining their regular functions and authorities.

Issue #5

Defining the role of intelligence organizations in analysis that combines intelligence data and judgments with data and judgments on U.S. policy, capabilities and operations; e.g., net assessments and crisis situation reporting.

Discussion

U.S. intelligence is continually obliged to analyze international developments in which the United States is itself an influential actor. Such problems arise in analysis of the foreign policy objectives, military goals and capabilities, and perceptions of other countries. Since the foreign view of U.S. behavior and capabilities is frequently not complete and explicit in intelligence sources or may be inaccurate, sound intelligence judgment frequently requires the inclusion of data or judgments about the U.S. If such inclusion is not explicit, it occurs implicitly with the result that conclusions are unconvincing or appear biased by subjective, but unrevealed assumptions.

Prevailing professional attitudes within intelligence organizations, especially CIA, oblige a considerable distance from U.S. policy matters and a reluctance to pass judgment on them. This is reinforced by the reluctance of some policymakers, notably in the Department of Defense, to see intelligence entities involved directly in policy deliberations. But the

amalgam of foreign and U.S. perspectives of "Red and Blue" information must occur anyway. For example, any effort to assess the capabilities, present and future, of Soviet military forces must confront the question: Capabilities to do what? The major concern has to be capabilities to wage war against present and future U.S. forces. Similarly, any overall assessment of Soviet objectives in world affairs must include an assessment of the Soviet view of the U.S. Such a view is impossible to insulate from the analysts' own appreciation of the U.S. As in all analytical work, the more explicitly such considerations are treated, the better.

Dilemmas of mixing "Red and Blue" information have been increasingly acute for intelligence in connection with the rising demand for net assessments and other comparative analyses involving the U.S. side. In addition to voicing fears about being drawn into judgments on U.S. policy and capabilities, intelligence organizations have complained that they are not supplied with sufficient information on the U.S. side of most net assessment problems; nor do they have the requisite number of trained analysts, e.g., in military operations research, to meet increased demands for net assessments.

A related problem arises in the area of crisis situation reporting. Following crises in the Middle East and Southeast Asia, President Ford instructed the DCI to consolidate into one authoritative National Intelligence Situation Report (NISR)

the plethora of crisis "sitreps" that flood the upper reaches of government from the several departments. He further stipulated that such reports should include necessary information on U.S. actions and events. Procedures have been devised that would create a single interagency task force to produce a single NISR. Although not formally promulgated yet, these procedures were tried out during the Korean "Paul Bunyan" contingency with favorable results.

The JCS has been very reluctant, however, to see any operational information on U.S. military actions included in an intelligence publication, both for security reasons and to preserve its ability to advise and report directly to the President. A DCI-JCS-SecDef Memorandum of Understanding has been under consideration at lower levels to compromise on this problem. It would provide for inclusion of JCS operational information in the NISR at JCS discretion and afford the DCI information on JCS options under consideration for his use in NSC or SCC discussions, provided that information does not appear in intelligence publications.

State has been reluctant to participate in NISR Task Forces, largely for reasons of scarce manpower. State has also been reluctant to share its version of "Blue information," sensitive diplomatic cables, with intelligence elements.

Possible Conclusions of the PRM-11, Task 2 Report

A large part of the problem with net assessment is semantic. At one level, net assessment merely comprises a

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set of tools to be used for analytic purposes. To the extent those tools illuminate the capabilities, perceptions, and options of a foreign country, intelligence can and must use them, assembling the data and necessary skills to do so. Failure to do so detracts from the quality and relevance of intelligence analysis. Some risk of appearing to pass judgment on U.S. policies and capabilities has to be run.

The more knotty question arises when the principal purpose of a net assessment is explicitly to inform selection among U.S. policy or force capability options. Here, intelligence professionals would prefer to play a secondary, supportive role, fearing that their credibility would be eroded and their competence overtaxed by direct involvement in policy disputes. Some, notably in DoD, approve this reluctant posture. Others, occasionally found in the NSC and Congress, would like to see intelligence more deeply involved in policy net assessments as a counterweight to established policy departments.

With respect to crisis reporting, the main requirement of the Intelligence Community is to design a consolidated crisis management and reporting system for itself. It is then up to higher authority to determine if and to what extent that system should also embrace reporting to the U.S. side of a crisis situation.

Possible Decision Options for the President

- Accept the somewhat confused status quo on net assessment.
- Create a net assessment element under the NSC.
- Direct the policy departments to augment their net assessment capabilities.
- Direct the DCI to become more involved in net assessments.
- Direct that the amalgam of "Red and Blue" crisis data should occur in the NSC Staff, DoD, or State.
- Direct the DCI to take responsibility for all source crisis reporting.

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Issue #6

Defining the role of the DCI as substantive intelligence advisor and advisor on intelligence operations to Congress.

Discussion

In all probability, neither the amiable dispositions of several decades nor the broad but retrospective investigations of the past three years are instructive precedent for the future relations of U.S. intelligence and Congress. The character of those relations is just now evolving and cannot be unilaterally shaped by the Executive Branch. But at the same time, constructive initiative by the President and the DCI at this crucial time seems likely to influence those relations for a considerable period into the future.

The DCI will have basic responsibilities to Congress:

- To defend the NFIP and Budget
- To give testimony on legislation relating to intelligence operations, restrictions, structures, security, etc.
- To inform with respect to sensitive foreign operations
- To provide substantive intelligence relating to U.S. foreign and national security policy.

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Although the last two roles have long antecedents, they may prove to be the most troublesome in light of Congress's determination to exert more influence over intelligence operations specifically and U.S. foreign and defense policy more generally. These roles appear likely to raise important concerns about security and about the respective prerogatives of Congress and the President in the conduct of U.S. foreign affairs.

The nature of these relations will depend, of course, on the number and make-up of Congressional committees with special oversight responsibilities regarding intelligence, security rules established, and other modalities.

But much more crucial will be any basic charter legislation that defines the roles, missions, responsibilities and structures of intelligence entities, including the DCI or other senior national intelligence functionary of the U.S.

The draft bill to establish a National Intelligence Authority (Miller draft) currently under consideration in the SSCI gives an indication of the maximalist conception of DCI responsibilities to Congress some in the Congress hold reasonable. It would in effect make the DCI coequally

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responsible to the President and Congress. Yet it displays little willingness on the part of the Congressional committees to assume responsibility for intelligence operations on which they demand extensive prior information.

Undoubtedly, the future relations of intelligence and Congress will be governed by some combination of new law and evolutionary practice.

Possible Conclusions of the PRM 11, Task 2 Report

Deferred

Possible Decision Options for the President

Deferred

Issue #7

Enhancing the effectiveness of the DCI in the protection
of intelligence sources and methods.

(Forthcoming)

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Issue #8

Establishing national policy and appropriate coordinating mechanisms on U.S. counterintelligence activities.

(Forthcoming)

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